

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Gauselmann
Assignee: Atronic International GmbH
Title: Free Game Bonus Rounds for Gaming Machines
Serial No.: 10/658,562 Filing Date: September 8, 2003
Examiner: Corbett Coburn Group Art Unit: 3714
Docket No.: ATR-A-121-1P Conf. no: 3426

San Jose, California
May 6, 2009

Mail Stop Appeal Brief
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**REQUEST TO WITHDRAW APPEAL AND ENTER AMENDMENTS TO THE CLAIMS
PURSUANT TO NEW GROUNDS FOR REJECTION RAISED
IN THE EXAMINER'S ANSWER**

Dear Commissioner:

Amendments to the claims begin on page 3. Remarks begin on page 8.

The examiner mailed an Examiner's Answer, dated March 6, 2009, that correctly stated at the bottom of page 6 that the examiner and Appellant were interpreting the term "free game pot" differently. The examiner stated, "It is apparent that Examiner's rejection is not clearly explaining why he makes this contention." The examiner explained that, based on Appellant's Appeal Brief, Appellant was intending the claimed "free game pot" to mean a fund that funds the virtual wagers during the free game bonus round. The examiner stated at the top of page 8 of the Answer that,

Examiner readily admits that had Appellant claimed a free game pot that was used to fund virtual wagers during the free game bonus, the cited prior art would not teach this feature. But Examiner contends that this is not claimed & Appellant's argument on this score are not commensurate in scope with the claims.

Had Appellant's attorney better understood during prosecution why the examiner did not interpret the claimed "free game pot" as Appellant was interpreting it, Appellant's attorney would have suitably amended the claims long ago. **Therefore, Appellants respectfully submit that the**

examiner's clear explanation in the Answer constitutes a new ground for rejection and requests the examiner to withdraw the finality of the final office action and enter the enclosed claim amendments, resulting in the allowance of the claims.

In view of the examiner's clear explanation in the Answer, it seems that all the reasons for rejection of the claims are moot, since the present amendments, expressly defining the "free game pot," overcome the rejection. The free game pot is defined in the specification as follows:

Page 2, lines 11-12, of the specification states, "... a free game pot (FGP), used to fund the 'virtual' wagers during the free game round,...."

Similarly, page 7, lines 7-9, states, "The free game pot is a pot that is calculated to finance the virtual wagers to play the free games during the free game bonus round so that all the virtual wagers for the free games are paid from the free game pot."

Similarly, page 7, lines 27-28, states, "The virtual wagers during the free game bonus round are taken out of the free game pot."

Similarly, page 8, lines 28-30, state, "The most important pot to fill first is the free game pot since all the wagers during the free game bonus round should be fully supplied by the free game pot."

Accordingly, the function of the free game pot is well defined in the specification, and the present amendment to Claim 18 is fully supported.

It is respectfully submitted that all claims are allowable. Should the Board or the examiner have any questions or claim clarifications, please call the undersigned at (408) 382-0480 x202.

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/Brian D Ogonowsky/
Attorney for Applicant(s)

May 6, 2009
Date of Signature

Respectfully submitted,

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AMENDMENTS TO CLAIMS

The below listing of claims replaces all prior versions and listings of claims.

1. (cancelled)
2. (withdrawn) The method of Claim 1 wherein granting an award to the player based on a certain outcome of the free games played comprises granting an award to the player based on an outcome of one or more particular free games.
3. (withdrawn) The method of Claim 1 wherein granting an award to the player based on a certain outcome of the free games played comprises granting an award to the player based on a display of a particular symbol during one or more of the free games.
4. (withdrawn) The method of Claim 1 wherein granting an award to the player based on a certain outcome of the free games played comprises granting an award to the player based on a display of a particular symbol across an activated payline during one or more of the free games.
5. (withdrawn) The method of Claim 1 wherein granting an award to the player comprises granting a jackpot, a portion of a jackpot, a fixed award, a progressive award, or a mystery award to the player.
6. (cancelled)
7. (withdrawn) The method of Claim 1 further comprising accumulating winning units from winning outcomes from each free game played, and wherein granting an award to the player comprises granting an award to the player based on accumulated winning units from winning outcomes of free game played.
8. (withdrawn) The method of Claim 7 further comprising detecting a signal that the player has won more winning units during the free game bonus round than other players participating in the free game bonus round and, in response to such detecting, awarding the player an additional award.
9. (withdrawn) The method of Claim 7 wherein the winning units are credits.
10. (withdrawn) The method of Claim 7 wherein the winning units are points.

11. (cancelled)

12. (cancelled)

13. (withdrawn) The method of Claim 12 further comprising calculating a level of the free game pot sufficient to pay for all free games played during the free game bonus round.

14. (withdrawn) The method of Claim 13 wherein calculating the level comprises multiplying N by a maximum bet for the first gaming machine.

15. (withdrawn) The method of Claim 13 wherein calculating the level comprises calculating the total amount of virtual wagers that will be bet during the free game bonus round.

16. (cancelled)

17. (cancelled)

18. (currently amended) A method performed by a system of linked gaming machines comprising:

receiving wagers from players playing paid games on the linked gaming machines;

detecting a free game bonus round initiation signal by a plurality of the linked gaming machines eligible for playing a free game bonus round;

enabling each player of the linked gaming machines that are involved in the free game bonus round to play a plurality of free games;

accumulating an amount in a free game pot, common to the plurality of the linked gaming machines, based at least partially on a percentage of wagers from the paid games on the linked gaming machines, the free game pot for funding virtual wagers during the free game bonus round, wherein games played in the free game bonus round are played with virtual wagers from the free game pot rather than actual wagers from the players;

granting an award to one or more of the players, based on outcomes of the free games played;
and

deducting ~~amounts~~ the virtual wagers from the free game pot to fund the free games being played,

wherein accumulating an amount in the free game pot comprises dynamically adjusting the percentage of wagers from the paid games to the free game pot depending on a level of the free game pot, and wherein a percentage of wagers from the paid games when funding the free game pot is less than 100%,

wherein the free game pot is funded by a first percentage of the wagers from the paid games prior to the level of the free game pot reaching a level determined to be necessary to ensure full funding of all free games played during the free game bonus round, wherein the free game pot is funded at a second percentage, including zero, lower than the first level after it is determined that the level of the free game pot is sufficient to fund all free games played during the free game bonus round, and

wherein the free game bonus round initiation signal is only issued once it has been determined that the free game pot is at the level determined to be necessary to ensure full funding of all free games played during the free game bonus round.

19. (cancelled)

20. (withdrawn) The method of Claim 11 wherein each free game played is a game played with the player's last wager from the paid games prior to the initiation of the free game bonus round.

21. (withdrawn) The method of Claim 1 wherein each free game played is a game played with the player's last wager from the paid games prior to the initiation of the free game bonus round.

22. (previously presented) The method of Claim 18 further comprising filling, with a percentage of the wagers for the paid games, a plurality of pots used for the free game bonus round, the plurality of pots including a jackpot in addition to the free game pot.

23. (withdrawn) The method of Claim 22 wherein the plurality of pots further comprises a hidden jackpot for supplying an initial level of the jackpot after the jackpot has been won.

24. (original) The method of Claim 22 further comprising dynamically allocating a percentage of the wagers for the paid games to the jackpot and the free game pot depending on the level of the free game pot.

25. (withdrawn) The method of Claim 1 further comprising accumulating winning units from winning outcomes of each free game played, and wherein granting an award to the player

comprises granting a jackpot based on the number of winning units won during the free game bonus round.

26. (withdrawn) The method of Claim 1 further comprising accumulating winning units from winning outcomes of each free game played, and wherein granting an award to the player comprises granting a first bonus amount if a number of winning units won during the free game bonus round exceeds a first level, and granting a second bonus amount if a number of winning units won during the free game bonus round exceeds a second level, higher than the first level.

27. (withdrawn) The method of Claim 1 further comprising generating the free game bonus round initiation signal based on a random event.

28. (withdrawn) The method of Claim 1 further comprising generating the free game bonus round initiation signal based on a random time event.

29. (withdrawn) The method of Claim 1 further comprising generating the free game bonus round initiation signal based on an outcome of the gaming machine.

30. (withdrawn) The method of Claim 1 further comprising generating the free game bonus round initiation signal based on a predetermined event.

31. (withdrawn) The method of Claim 1 further comprising:
funding a jackpot from a percentage of wagers from the paid games; and
generating the free game bonus round initiation signal based on the jackpot reaching a certain level.

32. (withdrawn) The method of Claim 1 further comprising:
funding two or more jackpots from different percentages of wagers from the paid games; and
generating the free game bonus round initiation signal based on any of the jackpots reaching a certain level.

33. (withdrawn) The method of Claim 1 wherein the paid games comprise spinning reels having symbols, where awards are based on combinations of symbols obtained after the reels stop spinning.

34. (withdrawn) The method of Claim 33 wherein the spinning reels are displayed on a video screen.
35. (withdrawn) The method of Claim 1 wherein the method further comprises awarding a jackpot based on an outcome of a free game bonus round.
36. (withdrawn) The method of Claim 1 wherein the method further comprises awarding one of a plurality of jackpots based on an outcome of a free game bonus round.
37. (cancelled)
38. (cancelled)
39. (withdrawn) The method of Claim 1 further comprising accumulating winning units from winning outcomes of each free game played, and wherein granting an award to the player comprises granting a bonus amount, wherein the amount depends on a number of winning units accumulated during the free game bonus round.
40. (withdrawn) The method of Claim 1 further comprising splitting a jackpot amongst players at the end of the free game bonus round.
- 41-58. (cancelled)
59. (previously presented) The method of Claim 18 wherein the level of the free game pot determined to be necessary to ensure full funding of all free games played during the free game bonus round is not predetermined but is dependent upon current conditions while paid games are being played.

REMARKS

Claims 18, 22, 24, and 59 are pending. Claim 18 has been amended along the lines suggested by the examiner in the examiner's Answer to overcome the rejections.

It is respectfully submitted that all claims are allowable. Should the examiner have any questions or claim clarifications, please call the undersigned at (408) 382-0480 x202.

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Respectfully submitted,

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